

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 11, 2005

IN RE:

**ENFORCEMENT OF INTERCONNECTION AGREEMENT
BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.
AND ITC^DELTACOM COMMUNICATIONS, INC.**

**DOCKET NO.
02-01203**

**ENFORCEMENT OF INTERCONNECTION AGREEMENT
BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.
AND XO TENNESSEE, INC.**

ORDER SUSPENDING AND AMENDING PROCEDURAL SCHEDULES

At a regularly scheduled Authority Conference held on April 4, 2005, the panel assigned to this docket voted unanimously to delegate to the Hearing Officer the authority to dispose of existing post-hearing issues in this matter. In addition, the panel requested that the Hearing Officer dispose of the issues within sixty (60) days

At a Status Conference held on May 17, 2005, the Hearing Officer directed that BellSouth Telecommunications, Inc. ("BellSouth") file its audit proposal and brief in this docket by May 23, 2005, and that XO Tennessee, Inc. ("XO") and ITC^DeltaCom Communications, Inc. ("ITC^DeltaCom") file their responses and briefs thereto by June 3, 2005. On May 23, 2005, the parties filed a notice that BellSouth and XO had reached a tentative settlement resolving the issues in this docket. In that notice, the parties requested that the filing of BellSouth's proposal and brief and the responses and briefs of XO and ITC^DeltaCom be held in abeyance for two (2) weeks. On May 24, 2005, the two-week extension was granted. On June 3,

2005, the parties requested an additional two-week extension in the schedule for filings in this docket. The parties stated their belief that the further extension would be helpful in the ongoing discussions regarding a settlement. On June 8, 2005, the Hearing Officer granted the request for an additional extension and issued a new procedural schedule. On June 24, 2005, the parties reported that negotiations were continuing and requested an additional two-week extension in the deadline for filings. On June 30, the parties requested a new procedural schedule with BellSouth's filings due on July 15, 2005 and the filings by XO and ITC^DeltaCom due on July 22, 2005. On July 15, 2005, the parties reported that negotiations were apparently proceeding satisfactorily and requested an additional 30-day extension in the deadline for filings. On July 18, 2005, a new procedural schedule was issued with BellSouth's filings due on August 15, 2005 and the filings by XO and ITC^DeltaCom due on August 29, 2005. On August 12, 2005, the parties requested a further extension so that BellSouth's filings would be due on August 29, 2005 and the filings of XO and ITC^DeltaCom would be due on September 7, 2005. The parties' request was granted on August 15, 2005. On August 29, 2005, the parties requested another 14-day extension to allow the parties to continue negotiations. Pursuant to this request, BellSouth's filings were due on September 12, 2005 and the filings of XO and ITC^DeltaCom were due on September 26, 2005. The parties' request was granted on August 29, 2005. On September 12, 2005, the parties notified the Authority that BellSouth and XO had reached a settlement in principle resolving the issues in this docket and requested that the filings be held in abeyance for an additional week. That request was granted on September 13, 2005. On September 16, 2005, the parties noted they are working to finalize the settlement agreement and requested another one-week extension. That request was granted on September 19, 2005. On September 26, 2005,

the parties requested another one-week extension. The Hearing Officer granted a two-week extension on September 27, 2005.

On October 10, 2005, BellSouth and XO notified the Authority that they have settled their disputes in this docket. However, BellSouth and ITC^DeltaCom notified the Authority that they continue to negotiate and requested a two-week extension in the deadline for their respective filings. The Hearing Officer finds that, due to the notification to the Authority of the settlement of the dispute between BellSouth and XO, the procedural schedule in this docket for filings regarding that dispute between BellSouth and XO should be suspended. The request of BellSouth and ITC^DeltaCom for a two-week extension pending further negotiations is well-taken and should be granted. Therefore, a new procedural schedule regarding the EELs audit dispute between BellSouth and ITC^Delta Com is established as follows:

October 24, 2005

Audit Proposal and Brief of BellSouth shall be filed with the Authority no later than 2:00 p.m.

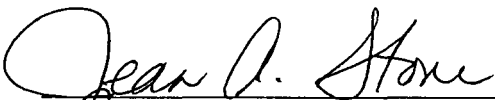
November 7, 2005

Response and Brief of ITC^DeltaCom shall be filed with the Authority no later than 2:00 p.m.

IT IS THEREFORE ORDERED THAT:

1 The procedural schedule regarding the dispute between BellSouth Telecommunications, Inc and XO Tennessee, Inc is suspended.

2 The procedural schedule regarding the EELs audit dispute between BellSouth Telecommunications, Inc. and ITC^DeltaCom Communications, Inc is amended as set forth herein


Jean A. Stone, Counsel
as Hearing Officer